

## **Rapid Re-Housing Recordkeeping and Reporting Requirements**

DHCD ESG Rapid Re-Housing Grantees, recipients and sub-recipients must comply with the following recordkeeping and reporting requirements to ensure compliance with the homeless definition set forth by HUD and the RFR issued by DHCD.

DHCD has set caps on assistance and is targeting those most in need of services. As such DHCD requires all recipients and sub-recipients to adhere to the reporting guidelines provided within this document. Prior to authorizing any ESG services or financial assistance, the documentation listed in the following sections must be obtained and copied for the case record. HUD requires the order of priority be:

- (1) First, third-party documentation, signed and dated, on the documenting organization's official letterhead\*
- (2) Intake worker observations; and
- (3) Certification from the person seeking assistance

<b>Category for Reporting</b>	<b>Required Documentation for Rapid Re-housing</b>
1. Documentation of Homeless Eligibility	<p>ESG funds may be used to provide housing relocation and stabilization services and short and/or medium-term rental assistance to the extent necessary to help a homeless household move as quickly as possible from an emergency shelter or a place not meant for habitation into permanent housing.</p> <p>DHCD defines eligibility for Rapid Rehousing services as:</p> <ol style="list-style-type: none"><li>1. A homeless individual in an emergency shelter or a domestic violence safe haven,</li><li>2. A homeless family in an non-EA funded emergency shelter or a domestic violence safe haven</li><li>3. An individual or family living in a place not meant for human habitation.</li></ol> <p>Please Note: Emergency Shelter does not include transitional shelter program or transitional housing, substance abuse or detox programs, institutional settings, or any location that would be classified as 'other' on an Annual Performance Report.</p>

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<p>Documentation of Homeless Eligibility (Continued)</p>	<p>The following documentation must be obtained and copied into each household's case record accordingly:</p> <ol style="list-style-type: none"> <li>(1) If the household qualifies as literally homeless because they are residing in a place not meant for human habitation, acceptable documentation is a description by an outreach worker of the conditions where the household is living and the dates observed; a written referral by another housing or service provider describing the situation and dates, or a certification by the head of household seeking assistance stating that (s)he is in an emergency shelter or place not meant for human habitation. The certification should describe the living situation and include the dates.</li> <li>(2) If the individual or family is in a shelter or safe haven provided by a victim service provider, <b>AND</b>, where the safety of the individual or family would not be jeopardized, documentation from the safe haven or shelter provider stating that the individual or family is residing in that shelter or safe haven must be provided.</li> <li>(3) If the individual or family is in an emergency shelter for individuals or a non-EA family shelter, documentation from the emergency shelter or non-EA family shelter stating that the individual or family is residing in that shelter must be provided.</li> </ol>
<p>2. Documentation of Insufficient Financial Resources and Support Networks</p>	<p>All DHCD ESG case records must clearly document that the participant lacks any and all alternative options that could lead to permanent housing and 'but for' ESG assistance the household would remain literally homeless. A "but for" Certification must be placed in each households file both at intake and at re-certification if the household is enrolled in the program for more than 12 months.</p>
<p>3. Income Eligibility Documentation at Intake and during Quarterly Assessment's</p>	<p>Eligible households DO NOT have to meet an income requirement at intake to receive RRH assistance.</p> <p>However, <u>DHCD expects complete income information to be gathered and included in the ESG Assessment information in HMIS at intake.</u> Income information must be kept in the case record to assist the household with creating a Housing Stability Plan, locating housing and maintaining it. DHCD will monitor case records to verify that the client's income was considered when developing the Housing Stability Plan and placing a client into housing.</p>

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<p>Income Eligibility Documentation at Intake and during Quarterly Assessment's (Continued)</p>	<p>If during the ESG intake staff learns that a household has income above 30% of the AMI, this will have no impact on the household's Rapid Re-Housing eligibility until the 12 month re-certification. At which time a households annual income must be less than or equal to 30% AMI.</p> <p>The following documentation should be collected and maintained as documentation of income for each household:</p> <p>(1) Income evaluation form containing the minimum requirements specified by HUD and completed by the ESG provider at intake and each subsequent quarterly assessment; <b>AND</b></p> <p>(2) Source documents for the assets held by the household and income received over the most recent period for which representative data is available before the date of the evaluation (<i>e.g.</i>, wage statement, unemployment compensation statement, public benefits statement, bank statement);</p> <p>(3) To the extent that source documents are unobtainable, a written statement by the relevant third party (<i>e.g.</i>, employer, government benefits administrator) or the written certification by the recipient's or sub-recipient's intake staff, on the documenting organizations official letterhead, of the oral verification by the relevant third party of the income the household received over the most recent period for which representative data is available; <b>OR</b></p> <p>(4) To the extent that source documents and third party verification are unobtainable, a Self-declaration of Income form completed by each adult in the household stating the amount of income the household received for the most recent period is representative of the amount of income that the household is reasonably expected to receive over the 3-month period following the assessment.</p>
<p>4. Housing Relocation &amp; Stabilization Services</p>	<p>ESG services should be provided only to the extent necessary to rapidly re-house an individual or family and stabilize them within that housing. Housing Recipients and sub-recipients must keep clear records of the types of housing stabilization and relocation services provided under the ESG program and the amounts spent on those services and assistance.</p>

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<p>Housing Relocation &amp; Stabilization Services (Continued)</p>	<p>Eligible households may receive the following services under the housing relocation and stabilization services component of DHCD's RRH programs:</p> <ol style="list-style-type: none"> <li>1. Rental application fees</li> <li>2. Security deposits (up to 1 month's rent)</li> <li>3. Last month's rent (this assistance must not exceed one month's rent and must be included in calculating the households total rental assistance)</li> <li>4. Utility deposits (gas, electric, water, and sewage)</li> <li>5. Utility payments, including up to 6 months of utility payments in arrears. (A partial payment of a utility bill counts as one month. Utility assistance may only be provided if a member of the household has an account and proof of responsibility to make utility payments.)</li> <li>6. Moving Costs (This may include truck rental or hiring a moving company. This may also include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the household enrolls in the RRH program and before the household moves into permanent housing.)</li> <li>7. Housing search and placement</li> <li>8. Housing stability case management</li> <li>9. Mediation</li> <li>10. Legal services (the services must be necessary to resolve a legal problem that prohibits the participant from obtaining permanent housing)</li> </ol> <p><b>DHCD limits the amount of financial assistance provided to a household at \$2,000 if the household is moving into subsidized housing and \$4,000 if the household is moving into unsubsidized housing.</b></p> <p>Financial assistance cannot be provided to a household who is receiving the same type of assistance through other public sources at the same time, including RAFT, HomeBase, and/or public rental assistance.</p>
<p>5. Housing Search &amp; Placement</p>	<p>Every ESG RRH eligible household MUST receive housing search and placement services which may include:</p> <ul style="list-style-type: none"> <li>• Assessment of housing barriers, needs, and preferences;</li> <li>• Development of an action plan for locating housing</li> <li>• Housing search;</li> <li>• Outreach to and negotiation with owners/landlords;</li> <li>• Assistance with submitting rental applications and understanding leases;</li> <li>• Assistance with obtaining utilities and moving arrangements</li> <li>• Tenant counseling</li> </ul>

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<p>6. Participant sustainability</p>	<p>The costs of RRH services are only eligible to the extent that the assistance is necessary to help the ESG household move into permanent housing and achieve stability in that housing.</p> <p>Recipients and sub-recipients are responsible for documenting that households receiving DHCD ESG Rapid Re-housing services can reasonably be expected to maintain the housing assisted through ESG for at least 12 months after ESG assistance ends.</p>
<p>7. Short-term and Medium-term Rental Assistance</p>	<p>ESG services should be provided only to the extent necessary to rapidly re-house an individual or family and stabilize them within that housing. Recipients and sub-recipients must keep clear records of any short-term and medium-term rental assistance services provided under the ESG program and the amounts spent on those services and assistance.</p> <p>Eligible households may receive the following services under the short-term and medium-term rental assistance component of DHCD's RRH programs:</p> <ol style="list-style-type: none"> <li>1. Short-term rental assistance (up to 3 months of rent)</li> <li>2. Medium-term rental assistance (4-24 months of rent)</li> <li>3. One-time payment for up to 6 months of rent in arrears (these do not need to be consecutive months)</li> </ol> <p><b>DHCD limits the amount of financial assistance provided to a household at \$2,000 if the household is moving into subsidized housing and \$4,000 if the household is moving into unsubsidized housing.</b></p> <p>Financial assistance cannot be provided to a household who is receiving the same type of assistance through other public sources at the same time, including RAFT, HomeBase, and/or public rental assistance.</p>
<p>8. Housing Stability Case Management</p>	<p>Monthly housing stability case management services must be offered to every ESG household with the intent of assisting the household in obtaining housing and maintaining long term housing stability. A plan must be developed to assist the household with retaining permanent housing after ESG assistance ends, taking into account the household's current and/or expected income and expenses, and other public or private assistance for which the household may be eligible.</p>

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<p>Housing Stability Case Management (Continued)</p>	<p>The following documentation shall be recorded in each household's case record to document case management services offered through ESG:</p> <ul style="list-style-type: none"> <li>• creation of a Housing Stability Plan</li> <li>• creation of a personalized budget, taking into consideration the participants current and expected income and all expenses</li> <li>• documentation of monthly meetings with the case manager*</li> <li>• notes and/or copies of referrals to mainstream benefits and other resources and follow up notes on whether the household was able to access the service/benefit</li> </ul> <p>*A sub-recipient may be exempt from the monthly meeting requirement if the Violence Against Women Act of 1994 or the Family Violence Prevention and Services Act prohibits the sub-recipient from making its shelter or housing conditional on the participant's acceptance of services.</p>
<p>9. Lease Documentation</p>	<p>A legally binding, <u>written</u> lease for the unit between the <b>owner</b> and the household is required prior to a sub-recipient authorizing any payment for rental assistance, excluding rental arrears, to the property owner (including first month's rent or security deposit payments.)</p> <p>The lease <b>MUST</b> include the following items:</p> <ul style="list-style-type: none"> <li>• Tenant name</li> <li>• Address of unit</li> <li>• Term of tenancy</li> <li>• Move in date</li> <li>• Rent amount</li> <li>• Responsibility for utilities</li> <li>• The lease must be signed and dated by all appropriate parties</li> </ul> <p>Only when the assistance is solely for rental arrears* may an oral agreement be accepted in place of a written lease and <b>only if</b> the oral agreement gives the household an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the property owner's financial records, rent ledgers or cancelled checks. The oral agreement must be documented by the sub-recipient on the organization or property owner's official letterhead detailing the address of the unit, the rent amount, and the term of tenant occupancy.</p>

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Lease Documentation (Continued)	*While a one-time payment of up to 6 months of rental arrears is an eligible cost under RRH, this service should only be provided if the client meets all eligibility criteria (is literally homeless in a shelter or place not meant for habitation) & would not be able to secure housing without this assistance.
10. Ownership	Proof of ownership of the unit must be obtained prior to any financial payments made to the property owner. Documentation of ownership may include a copy of a deed, water bill, mortgage payment, or tax bill.
11. Rental Agreement between Sub-recipient and Property Owner	<p>A rental assistance agreement between the property owner/landlord and recipient or sub-recipient must be in place prior to executing any service under the rental assistance component (including rental arrears).</p> <p>Per HUD requirements, this agreement must set forth the terms under which assistance will be provided. The agreement must also provide that, during the term of the agreement, the property owner must give the ESG recipient or sub-recipient a copy of any notice given to the household to vacate the unit used under state or local law to commence an eviction action against the household, including a 14 day notice to quit.</p>
12. Housing Standards	<p>The records must include documentation of compliance with HUD's shelter and housing standards. Completion of a Housing Standards Inspection Checklist or a copy of an inspection report completed by a HUD certified inspector must be in the case record for all clients receiving <b><u>any type</u></b> of ESG service.</p> <p><u>Housing and Lead Based Paint* standards apply for all households receiving RRH services under ESG, including rental arrears only, or legal assistance only. This applies to TPP programs as well.</u></p> <p>*Lead Based Paint visual assessments must be completed on all units receiving assistance if constructed before 1978 <b><u>AND</u></b> a child under 6 or a pregnant woman will live there. Documentation of the visual inspection completed by qualified staff must be kept in the case record. All staff members that will be responsible for completing visual assessments must have documentation that they are qualified to do so. HUD offers an online visual assessment training that should be completed by all staff members conducting inspections. The certification of completion by staff members should be kept with the sub-recipients ESG administrative records.</p> <p>The training can be found at:  <a href="http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm">http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm</a>.</p>

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<p>13. FMR &amp; Rent Reasonableness</p>	<p>Fair market rent and rent reasonableness must be met for all household receiving rental assistance, including rental arrears and first month's rent. ESG requires housing units to meet BOTH rent reasonableness standards AND HUD's published Fair Market Rent standards.</p> <p>Fair Market Rent established by HUD may be found at:  <a href="http://www.huduser.org/portal/datasets/fmr.html">http://www.huduser.org/portal/datasets/fmr.html</a></p> <p>For purposes of calculating rent under rent reasonableness standards, the rent shall not equal more than the total monthly rent for the unit, any fees required for occupancy (excluding late fees and pet fees) <b>and</b>, if the tenant pays utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.</p>
<p>14. Re-Certification Documentation</p>	<p>Re-certifications are required for every household who is enrolled in the RRH program for a period of 12 months or longer.</p> <p>For further guidance on re-certifications, please see the ESG Interim Rule 24 CFR Part 576.500.</p> <p>(<a href="http://www.hudhre.info/documents/HEARTH_ESGInterimRule&amp;ConPlanConformingAmendments.pdf">http://www.hudhre.info/documents/HEARTH_ESGInterimRule&amp;ConPlanConformingAmendments.pdf</a>)</p>
<p>15. Housing Retention</p>	<p>Recipients and sub-recipients are required to track housing retention* for all eligible households that received ESG financial assistance and/or services and are required to report on housing retention at 3, 6, 9, and 12 months after housing placement. (*Housing retention is not to be confused with monthly housing stability case management which is a requirement for all households receiving rapid re-housing services.)</p> <p>Respondents must be able to contact either the property owner or the tenant to verify housing retention and collect the following information. This information must be provided to DHCD on a quarterly basis for review via Excel.</p> <ul style="list-style-type: none"> <li>• Date of placement</li> <li>• Date of housing retention follow-up</li> <li>• Is the household still in housing?</li> <li>• If yes, do they owe rent?</li> <li>• If no, housing status?</li> <li>• Is the household stably housed?</li> <li>• If no, provide explanation</li> </ul>



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<p>16. Termination Policies</p>	<p>Each ESG sub-recipient must have a termination policy in place that meets the following specifications:</p> <ul style="list-style-type: none"> <li>• Written notice to the household containing clear a statement defining the reason for termination</li> <li>• An appeal process, in which the household is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision</li> <li>• Prompt written notice of the final decision to the household</li> </ul> <p><u>Termination of ESG services does not bar the program participant from receiving further assistance at a later date if they again meet all ESG eligibility requirements.</u></p>
<p>17. HMIS &amp; DHCD Monthly Reporting Requirements</p>	<p>The sub-recipient must keep records of its participation in HMIS (or a comparable database by sub-recipients with a primary mission of serving victims of domestic violence or providing legal services.)</p> <p>Active participation in a HUD approved HMIS is required of all successful respondents. Participation includes, but is not limited to, the collection and input of client data at a data quality rate of 90% and completeness (bed coverage/participant coverage) rate of 100%. Participation in a HUD approved HMIS will be documented by producing an Annual Performance Report.</p> <p>Providers may opt to participate in the state's HMIS, ETO/ASIST or contract at their own expense with an alternate HUD recognized HMIS. However, in cases where there is a lead agency and multiple sub-contracted agencies, DHCD expects that all agencies will enter data into the same system and the same program in order to eliminate any risk of duplicating services to clients.</p> <p>Respondents entering data into the state's HMIS must utilize the ESG RRH Placement TouchPoint to track and report on housing placements.</p> <p>Respondents which use an HMIS other than ETO must agree to track housing placements within a database and conduct regular data uploads to the state's HMIS. Respondents which use a different platform of ETO, other than ASIST must agree to sync their data. <u>If a sync agreement is not already in place between the responding agency and DHCD, an agreement must be signed prior to execution of a contract.</u></p>

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<p>HMIS &amp; DHCD Monthly Reporting Requirements (Continued)</p>	<p>The only exception to the HMIS requirement is for organizations with a primary purpose of serving victims of domestic violence or providing legal services. Such organizations are excluded by HUD from HMIS participation. However, each such organization must collect and enter <b>all</b> HUD required data elements into a non-HMIS database from which the organization can produce reports that meet all HUD and DHCD reporting requirements.</p> <p>In addition to entering universal and program level data elements into HMIS, recipients and sub-recipients are responsible for tracking the following data elements and must be prepared to provide this information via Excel to DHCD on a quarterly basis for review.</p> <ul style="list-style-type: none"> <li>• HoH Last Name</li> <li>• HoH First Name</li> <li>• SSN</li> <li>• Household size</li> <li>• Shelter entry date (if known)</li> <li>• Date of ESG enrollment</li> <li>• Date of housing placement</li> <li>• Address of unit</li> <li>• Is unit subsidized?</li> <li>• If yes, type of subsidy (Section 8, S+C, PSH, Home &amp; Healthy for Good, VASH, MRVP, Other)</li> <li>• Rental application fees paid</li> <li>• Security deposit paid</li> <li>• Last month's rent paid</li> <li>• Utility deposits paid</li> <li>• Utility payments paid</li> <li>• Moving costs paid</li> <li>• First month's rent paid</li> <li>• Is the household expected to receive rental assistance? (up to 3 months, more than 3 months, rental arrears)</li> </ul>
<p>18. Centralized or Coordinated Assessment Systems and Procedures</p>	<p>ESG recipients and sub-recipients should be actively working with their CoC to implement a centralized and coordinated assessment system. Additionally, documentation and evidence of this process should be maintained.</p> <p>Once a centralized and coordinated assessment system has been implemented by the CoC, ESG recipients and sub-recipients must keep documentation evidencing the use of, and written intake procedures for, the centralized or coordinated assessment system(s) developed by the Continuum of Care(s) in accordance with the requirements established by HUD.</p>

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<p>Centralized or Coordinated Assessment Systems and Procedures (Continued)</p>	<p>Recipients and sub-recipients are required to work with other mainstream organizations and service providers to connect their program participants to available services across the Commonwealth to help them regain and maintain permanent housing.</p>
<p>19. Conflicts of Interest/Codes of Conduct</p>	<p>The recipient and its sub-recipients must keep records to show compliance with HUD's organizational conflicts-of-interest requirements, a copy of the personal conflicts of interest policy or codes of conduct, and records supporting exceptions to the personal conflicts of interest prohibitions.</p> <p>DHCD has provided a Draft ESG Code of Conduct which includes a Conflict of Interest Policy which sub-recipients should use unless/until they have an alternate Code of Conduct/Conflict of Interest Policy. If the sub-recipient has its own alternate policy, please send an electronic copy to <a href="mailto:Elisa.Bresnahan@state.ma.us">Elisa.Bresnahan@state.ma.us</a> for review.</p>
<p>20. Confidentiality</p>	<p>(1) Recipient and its sub-recipients must develop and implement written procedures to ensure:</p> <ul style="list-style-type: none"> <li>(i) All records containing personally identifying information (as defined in HUD's standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;</li> <li>(ii) The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter; and</li> <li>(iii) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or sub-recipient and consistent with state and local laws regarding privacy and obligations of confidentiality.</li> </ul> <p>(2) The confidentiality procedures of the recipient and its sub-recipients must be in writing and must be maintained in accordance with this section.</p> <p>DHCD has provided a Draft Recipient/Sub-recipient Confidentiality Agreement which sub-recipients should use unless/until they have an alternate specific Confidentiality policy. If the sub-recipient has its own alternate policy, please send an electronic copy to <a href="mailto:Elisa.Bresnahan@state.ma.us">Elisa.Bresnahan@state.ma.us</a> for review.</p>

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<p>21. Sub-recipients and Contractors</p>	<p>(1) The recipient must retain copies of all-solicitations of and agreements with sub-recipients, records of all payment requests by and dates of payments made to sub-recipients, and documentation of all monitoring and sanctions of sub-recipients, as applicable. If the recipient is a State, the recipient must keep records of each recapture and distribution of recaptured funds under § 576.501.</p> <p>(2) The recipient and its sub-recipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 24 CFR 85.36 and 24 CFR 84.40–84.48.</p> <p>(3) The recipient must ensure that its sub-recipients comply with the recordkeeping requirements specified by the recipient and HUD notice or regulations.</p>
<p>22. Other Federal Requirements</p>	<p>The recipient and its sub-recipients must document their compliance with the Federal requirements, as applicable, including:</p> <p>(1) Records demonstrating compliance with the nondiscrimination and equal opportunity requirements under Other Federal Requirements, including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds and the affirmative outreach requirements.</p> <p>(2) Records demonstrating compliance with the uniform administrative requirements in 24 CFR part 85 (for governments) and 24 CFR part 84 (for nonprofit organizations).</p> <p>(3) Records demonstrating compliance with the environmental review requirements, including flood insurance requirements.</p> <p>(4) Certifications and disclosure forms required under the lobbying and disclosure requirements in 24 CFR part 87.</p>
<p>23. Period of Record Retention</p>	<p>Documentation of each household’s qualification for ESG Rapid Re-Housing assistance must be retained for 5 years after the expenditure of all funds from the grant under which the household was served. Copies made by scanning, photocopying, or similar methods may be substituted for the original records.</p>